

REMARKS

This Amendment is being filed in response to the Final Office Action mailed October 9, 2007, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

In the Final Office Action, claims 1-20 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,393,574 (Kashiwagi) in view of U.S. Patent No. 5,784,528 (Yamane) and U.S. Patent No. 5,999,698 (Nakai). It is respectfully submitted that claims 1-26 are patentable over Kashiwagi, Yamane and Nakai for at least the following reasons.

In the Final Office Action, page 5, column 19, lines 5-25 of Kashiwagi is cited in rejecting claims 2, 7 and 18. Column 19, lines 5-25 of Kashiwagi specifically recites:

During reproduction, the user is able to freely and at any time select particular scenes from the multi-scene periods to dynamically construct a title conforming to the desired content, e.g., a title omitting certain scenes using the parental lock control function. (Emphasis added)

It is respectfully submitted that this noted section of Kashiwagi merely discloses that a user can freely select scenes, including omitting certain scenes. This has nothing to do with "free space that is available on the disc."

There is simply no teaching or suggestion in the cited sections of Kashiwagi, Yamane and Nakai, alone or in combination, of the present invention as recited in independent claim 1, and similarly recited in independent claims 6 and 17 which, amongst other patentable elements, requires (illustrative emphasis provided) :

defining a free space title that represents free space that is available on the disc within the video object storage area and including the free space title in the title list.

Defining and including free space in the title list are nowhere taught or suggested in Kashiwagi, Yamane, Nakai and combinations thereof.

Accordingly, it is respectfully submitted that independent claims 1, 6 and 17 is allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-5, 7-16 and 18-26 should also be allowed based at

least on their dependence from independent claims 1, 6 and 17.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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